GARRIGUES
AGENCIA DE PROPIEDAD
INDUSTRIAL E INTELECTUAL

European Patent Office
Erhardstrasse 27
D-80298 München
GERMANY

January 11, 2006

By fax: 31 70 340 3016 (Le Hague)
Confirmation copy by mail

International PCT Application No. PCT/ES2003/000524 in the name of ALGOTOP S.L. et al.
O/R: AX030098WO

RESPONSE TO WRITTEN OPINION DATED DECEMBER 21, 2005

REMARKS

Dear Mr. Vistisen,

Further to the Written Opinion dated December 21, 2005, the applicant respectfully disagrees with your opinion regarding the lack of novelty and inventive step of the independent claims of its invention.

1.1. NOVELTY; A33(1) and A33(2) PCT

Claim 1:

D1 describes a non-slip thermoplastic element, thin and generally flat with a smooth face on one side and a raised perimetrical strip on the opposite side. The inner part of said strip has a central surface portion which is depressed relative to the above-mentioned strip, being said central portion intended for receiving an ornamentation or laminar accessory (sticker or the like) while preserving the anti-slip properties of the element.

D1, considered as the closest prior art, does not explicitly disclose a non-slip device with a body comprising a flattened band that it is adhered to the surface of a personal use item,

José Abascal, 45 - 28003 Madrid - España - T +34 91 514 57 00 F +34 91 514 56 02

defining said band at least a surface section on the surface of the personal item for housing an auxiliary element.

The main difference between both non-slip elements is that the element of the present invention does not have a surface that joins the perimetrical strip of the device as disclosed in D1. Said surface has been removed basicly to allow the introduction, and future exchange, of auxiliary elements in the surface section defined by the band, being said auxiliary element directly in contact with the surface of the personal use item, independently of the non-slip element, maintaining the non-slip qualities of the device and permitting the introduction and exchange of auxiliary elements with different features and decoration. The removal of the surface used in D1 to join the perimetrical strip also serves to save material during the manufacture of the device.

Consequently, the subject matter claimed in the newly submitted claim 1 is to be considered novel over the disclosure of D1.

Claims 2-15:

All of these claims are dependent on claim 1. Since claim 1 is novel over the cited art, we respectfully submit that dependent claims 2-15 are to be considered novel over D1.

1.2. INVENTIVE STEP; A33(3) PCT

Claim 1

Document D1, considered as the closest prior art, teaches a non-slip device and the problem to be solved by this device is, as established in its description, to provide a non-slipping element to be adhered to a surface, being said element provided of a depressed central portion in which an ornamentation is included. Said ornamentation can be included in the central portion by printing or by a laminar sticker.

The problem solved by the non-slip device object of the present invention is to develop a device for personal items which satisfies the non-slip function but with more versatile features, such that different types of decorative elements, or even elements of another type with auxiliary functions, that is, elements contributing a greater value to the product maintaining its non-slip qualities and the decoration thereof, can be incorporated,

exchanged or associated to it. The new and inventive non-slip device also saves use of material during the manufacture of the product.

As stated in the description, the device described in D1 has the following problems that are solved by the present invention:

- is not very versatile even from the point of view of its decorative effect, given that it only allows incorporating an image and no other type of element, which further requires a particular process for forming it on the material of the non-slip device
- the decorative element is irremovably associated to the device as it is a single use adhesive, such that it is not possible to modify the non-slip device customization without replacing the device as a whole, feature that is possible with the present invention.
- The screen-printing the image on the material of the device is not altogether satisfactory because it has a high cost and is not as resistant to friction as would be desirable mainly because said screen-printing or said decoration partially or completely takes away the non-slip quality of the device and in addition the decoration becomes erased.

Nothing in D1 suggests the modification of the non-slip device in order to attain the mentioned features and the consequent advantages over the state of the art. We therefore consider that the present invention is inventive in view of D1.

Claim 16

The Examiner considers that the feature characterizing this claim does not involve inventive step as it is one of the possibilities that a skilled person could adopt without the exercise of inventive skill.

The applicant does not agree with said statement as there are two specific advantages, that cannot be considered obvious, both advantages provided by the characterizing feature of claim 16 over document D1:

- There is no need to manufacture a mould for each shape of non-slip device, being the manufacture of each mould expensive and long lasting.
- The fact of manufacturing a sheet of non-slip material permits the application of the adhesive over the whole sheet before cutting the devices with the desired shapes instead of applying the adhesive on each device in a particular way, which is much more expensive. By this method handling of little pieces to which an

adhesive should be applied is avoided, therefore reducing the manufacturing costs and reducing the manufacturing time, that makes the product cheaper.

Document D1 shows a way of manufacturing devices using a mould for each device, therefore the fact of manufacturing a sheet of non-slip material and afterwards cutting the devices with the desired size and shape is not obvious as a skilled person would just prepare a mould for each shape and size of a non-slip device, like described in D1.

Nothing in D1 nor in the state of the art suggests the modification of the method in D1 to obtain a non-slip device according to the method of claim 16. Therefore, the applicant considers that claim 16 is inventive over the state of the art.

In view of the above, the applicant considers that claims 1 and 16 are new and involve inventive step over the prior art. Therefore, claim dependent on claims 1 and 16 also fulfill the requirements on novelty and inventive step.

Respectfully submitted,

Monica Arizti Acha